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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,904	12/05/2000	Chia-Tin Chung	141181-200200	3462

7590, 08/17/2004  
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EXAMINER

MCPHERSON, JOHN A

ART UNIT PAPER NUMBER

1756

DATE MAILED: 08/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/730,904

Applicant(s)

CHUNG ET AL.

Examiner

John A. McPherson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 4/10/01, 6/25/01 and 2/7/02.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28-32 is/are allowed.
- 6) ☒ Claim(s) 1,3-8,13,15 and 19-27 is/are rejected.
- 7) ☒ Claim(s) 2,9-12,14 and 16-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. Figures 1 and 2A-F should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The disclosure is objected to because of the following informalities:

Page 2, line 16 refers to Fig. 2A-2G, however Figure 2G is not present in the drawings.

Additionally, the Examiner objects to the term “-baking”, which is used in multiple locations throughout the specification, for example see page 4, line 27, because it appears that a prefix may be missing from this term, such as “pre-baking” (page 4, line 27) or “post-baking” (page 10, line 4). Alternatively, Applicant’s term “-baking” may simply refer to “baking”.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4-6, 13, 15, 19-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4-6 and 19-27 are rejected because it appears that a prefix may be missing from the term "-baking", such as "pre-baking" or "post-baking". Alternatively, this term may simply refer to "baking". See claim 4, line 2; claim 5, line 1; claim 6, line 1 and claim 19, line 8.

Claim 13 recites the limitation "the reversed trapezoid shape" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the trapezoid shape" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 25 recites the limitation "the reversed trapezoid shape" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim 27 recites the limitation "the trapezoid shape" in line 1. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

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(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1, 3 and 7-8 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,351,066 to Gyoutoku et al. (Gyoutoku). Gyoutoku discloses a method of manufacturing an organic electroluminescence element comprising the steps of forming a first electrode on a substrate, forming an insulating film on the entire surface of the substrate having the first electrode, forming a photoresist pattern on the insulating film, etching the insulating film using the photoresist pattern as a mask so that the insulating film forms an insulating bulkhead from which a portion of the first electrode is exposed and the photoresist pattern has an overhang portion formed by side etching, and forming an organic thin film and a conductive layer on the first electrode and the photoresist pattern, wherein the insulating layer is formed into a thickness so that the insulating bulkhead protrudes above the first electrode. See column 5, lines 24-48 and Figures 1A-D. Therefore, this invention is not novel.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,701,055 discloses an organic electroluminescent display panel and a method for manufacturing the same, wherein the display comprises electrically insulating ramparts having an overhanging projection.

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JP 11-317288 discloses a method for the manufacture of an organic EL display comprising the steps of arranging photomasks on the surface side and the opposite side of a glass substrate provided with a photoresist film on a first electrode, exposing the photoresist film, and developing the photoresist film to form a bridged part having a trapezoidal shape and an inverse trapezoidal shape, thereby forming a partition wall.

U.S. Patent No. 6,290,563 discloses a method for manufacturing and organic electroluminescent display comprising the steps of forming first electrodes on a substrate, forming patterned insulating films on the first electrodes, forming spacers on the insulating films, and forming overhanging portions on the spacers.

***Allowable Subject Matter***

6. Claims 28-32 are allowed.
7. Claims 4-6, 13 and 15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
8. Claims 19-27 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.


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9. Claims 2, 9-12, 14 and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John A. McPherson whose telephone number is (703) 308-2302. The examiner can normally be reached on Monday through Friday, 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Huff can be reached on (703) 308-2464. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



John A. McPherson  
Primary Examiner  
Art Unit 1756

JAM  
September 17, 2002